



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Levi et al.

)

) Art Unit: 3749

)

Serial Number 10/659,321

) Examiner: A. Basichas

)

Filed September 11, 2003) Atty Docket: LEV003-066

For: Combination Radiant/Convection Gas Cooking Appliance

COMMISSIONER FOR PATENTS

PO Box 1450

Alexandria, VA 22313-1450

Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

☒ Advance Order for Patent Copies: 10☒ Issue Fee Transmittal☒ Comments on Reasons For Allowance☒ Check in the Amount of \$1,730.00☐ Formal Drawings (___ sheets)☒ Change of Correspondence Address☐ Small Entity Declaration(s)☒ Fee Address Indication☒ Please debit or credit **Deposit Account Number 04-1075** for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

Respectfully submitted,

Everett G. Diederiks, Jr.

Attorney for Applicant

Registration Number: 33,323

Date: December 23, 2004



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COMMENTS ON REASONS FOR ALLOWANCE

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant received a Notice of Allowance dated October 5, 2004 in the above-identified U.S. patent application. Attached to the Notice of Allowance was a Notice of Allowability which presented an Examiner's Amendment, as well as a Reasons For Allowance. Below are presented remarks on the Reasons For Allowance.

Remarks begin on page 2 of this paper.

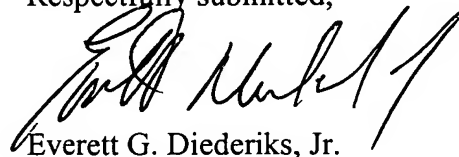
Comments on Reasons For Allowance
Serial No. 10/659,321

REMARKS

The application as allowed contains independent claims 1, 2 and 11. These claims are represented as combination/subcombination/subcombination. Based on this format, claim 1, at least as originally filed, included all the limitations of claims 2 and 11. The Reasons For Allowance set forth by the Examiner track the limitations of independent claim 1 and therefore present limitations which are not present in dependent claims 2 and 11. For instance, the Reasons For Allowance identifies a glass panel positioned in the central opening, the positioning of the gas burner below the glass panel, the radiating of heat from the gas burner through the glass panel, a combustion airflow fan assembly and a gas burner which is visible through the glass panel during operation which are not required by independent claim 2. Independent subcombination claim 11 does include recitations directed to the glass panel, but lacks other limitations outlined in the Reasons For Allowance, such as the existence of the combustion airflow fan assembly.

For the reasons discussed with the Examiner in connection with making the Examiner's Amendment, it is respectfully submitted that all the claims are allowable, just not based on the limitations identified in the Reasons For Allowance. Therefore, it is submitted that, although the Reasons For Allowance presented by the Examiner may be appropriate for independent claim 1, claims 2 and 11 should be identified as allowable based on their recited limitations.

Respectfully submitted,



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Date: December 23, 2004
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